

No. 98.

APRIL 18, 1808.

Read the first and second time, and committed to a committee of the whole house
on Wednesday next.

A Bill,

For the encouragement and security of seamen of the United States.



1 Sec. 1. *Be it enacted by the senate and house of representatives of*
2 *the United States of America in congress assembled,* That no regis-
3 tered ship or vessel shall continue to enjoy the benefits and privile-
4 ges appertaining to ships or vessels of the United States, unless the
5 mate, or first officer under the master or commander, and the mari-
6 ners composing the crew, or at least a majority of them, shall be ci-
7 tizens of the United States.

1 Sec. 2. *Be it further enacted,* That every mariner who may be
2 shipped for any voyage or voyages in such vessel, if claiming the
3 privileges of a seaman of the United States, at the time of signing
4 the contract required by the act for the government and regula-
5 tion of seamen in the merchant service, shall so make or cause to be

6 made thereon, a memorandum or entry in writing, declaring himself
7 to be a citizen of the United States: and any mariner falsely or
8 fraudulently making such written declaration, or causing the same
9 to be made, shall forfeit all claim to the wages or emoluments which
10 might otherwise be due to him for service in such voyage or voy-
11 ages, and shall also forfeit and pay to the master, owner or con-
12 signee of the ship or vessel, the sum which shall have been paid
13 to him by advance at the time of signing the contract.

1 Sec. 3. *Be it further enacted*, That every registered ship or ves-
2 sel which may be cleared from any port of the United States after
3 the day of and bound to any foreign port or place,
4 shall have on board a list of the officer or officers under the master
5 or commander, and of the mariners composing the crew; which
6 list shall contain the name, age, birth place, residence and personal
7 description of every such officer and mariner, and shall also dis-
8 tinguish each citizen of the United States of America therein men-
9 tioned, and shall be certified by the officer or officers authorized to
10 grant the clearance. No registered ship or vessel cleared as afore-
11 said, and thereafter arriving in any port of the United States, shall
12 be entitled to the benefits and privileges aforesaid, unless there
13 shall be on board a list of the officer or officers, under the master
14 or commander, and of the mariners composing the crew, as herein
15 before required, so that the number of seamen of the United States
16 on board the ship or vessel, may thereby appear and be proved to
17 the satisfaction of the proper officer or officers of the customs.

1 *Sec. 4. Be it further enacted,* That no person mentioned in any
 2 list as aforesaid, shall be thereon distinguished as a citizen of the
 3 United States of America, unless the citizenship shall have been
 4 proved, in case of a native citizen, by the oath or affirmation of two
 5 freeholders, or reputable merchants of the United States, and, in
 6 case of a naturalized citizen, by an authentic copy of the registry,
 7 record, or official evidence of the naturalization. But a seaman of
 8 the United States, whose citizenship shall have been so proved, and
 9 accordingly certified on any list, distinguishing him as aforesaid,
 10 may be mentioned and distinguished as aforesaid, in any subsequent
 11 list without requiring further proof of his citizenship.

1 *Sec. 5. Be it further enacted,* That every collector of the customs
 2 shall cause to be transcribed in a proper book or books, to be by
 3 him kept for the purpose, so much of all such lists by him certifi-
 4 ed as may relate to seamen of the United States, and shall transmit
 5 a copy thereof every quarter year, together with the evidence of ci-
 6 tizenship in each case, to such of the executive departments as may
 7 be designated by the president of the United States.

1 *Sec. 6. Be it provided and further enacted,* That the places of any
 2 seamen of the United States, who shall be lost by death or otherwise
 3 after sailing on any voyage or voyages as aforesaid, may be suppli-
 4 ed by shipping other seamen or mariners in case of its being pro-
 5 ved requisite for safety of the voyage to employ them. And the
 6 same shall be proved to the satisfaction of the proper officer or of-
 7 ficers of the customs in the United States, on arrival of the

8 ship or vessel, by producing a statement in writing, made at the
9 foreign port or place, where such other seamen or mariners may
10 have been shipped, therein setting forth the facts requiring the em-
11 ployment of seamen or mariners for the safety of the voyage as
12 aforesaid, with the number of seamen or mariners so required: to
13 which statement shall be added the certificate of a consul or agent
14 of the United States, or a reputable American merchant, or mas-
15 ter mariner, if such there be at said port or place, otherwise the
16 certificate of a reputable foreign merchant, or master mariner,
17 declaring either that the statement so made, is to his knowledge
18 just and true, or that the same is, in his opinion, worthy of full
19 faith and credit: which statement shall also be supported by the
20 oath or affirmation of the master and mate, if living, or in case of
21 their decease, by the oath or affirmation of the two principal sur-
22 viving officers of the ship or vessel.

1 Sec. 7. *Be it further enacted*, That no mariner shipped accord-
2 ing to law, who may be entitled as aforesaid to the privileges of a
3 seaman of the United States, shall be abandoned or left in any fo-
4 reign place or country, without his consent in writing, attested by
5 two witnesses, except in case of desertion, under penalty of a sum
6 not exceeding thousand dollars, nor less than
7 hundred dollars, to be forfeited and paid to him by the master or
8 commander of the ship or vessel, together with all charges and ex-
9 penses which may have been incurred by such seaman for a pas-
10 sage to the United States. But this provision shall not be construi-

11 ed to extend to cases wherein ships or vessels are lost, by perils of
12 the sea, or by seizure for causes other than the unlawful conduct
13 of the masters or commanders.

1 Sec. 8. *And be it further enacted,* That from and after the
2 day of the several collectors of the customs shall cease to de-
3 liver certificates of citizenship, commonly called protections, in the
4 manner heretofore practised, under the act entitled " An act for
5 the relief and protection of American seamen," passed the twenty-
6 eighth of May, in the year seventeen hundred and ninety-six, and
7 the fourth section of said act shall be, and hereby is repealed.